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C O N F I D E N T I A L SECTION 01 OF 02 MANAMA 001943

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DEPARTMENT FOR G/TIP, NEA/ARP

E.O. 12958: DECL: 11/15/2016  
TAGS: [PREL](#) [KCRM](#) [KWMN](#) [PHUM](#) [SMIG](#) [BA](#) [HUMRIT](#)  
SUBJECT: BAHRAIN: TIP INTERIM ASSESSMENT

REF: STATE 76587

Classified By: DCM Susan L. Ziadeh for reasons 1.4 (b) and (d).

¶1. (U) This cable responds to reftel request for an update on progress by the GOB toward (a) enacting comprehensive anti-trafficking legislation; (b) opening a shelter for victims of trafficking; and (c) increasing investigations and prosecutions against suspected traffickers.

¶2. (SBU) Legislation: The Ministry of Justice drafted comprehensive anti-trafficking legislation during the winter/spring 2006 and forwarded it to the Cabinet, the final step before being sent to the parliament for a vote. To date, the Cabinet has taken no action on the draft law. The four-year parliamentary session concluded in July. Bahrain will hold elections shortly for the new parliament, which is expected to come into session in January. There can be no legislative action on the anti-trafficking legislation until that time.

¶3. (C) During a November 14 visit by G/TIP Reports Officer Gayatri Patel, MFA Assistant Undersecretary Shaikh Abdul Aziz Bin Mubarak Al Khalifa told Patel and Poloff that another possible avenue to enact legislation is through royal decree by the King. Shaikh Abdul Aziz explained that there is a window of opportunity between election day and the first day the new parliament officially convenes during which the King has broadened authority to issue legislation by decree. Shaikh Abdul Aziz said that the MFA's legal directorate is in the process of preparing the necessary documents for the Foreign Minister to request that the legislation be sent to the King for his review and adoption. Embassy will follow up with MFA to track if this actually goes forward.

¶4. (SBU) Bahraini officials have told post that the government-funded shelter for both victims of trafficking and victims of domestic abuse will open officially on November 123. A November 14 visit to the shelter revealed that the shelter is close to being ready. The building has four floors, two of which will be used for housing victims. The top floor, which has 8 spacious four-room apartments, will be able to comfortably accommodate 72 women. If needed, space is available for another 24. Victims of domestic abuse, who will not mix with trafficking victims, will be housed on the third floor. Each set of residents will have defined times to use the second floor, where the library, gym, and cafeteria will be located. Transportation will be provided for shelter victims who need to make official visits to court, immigration, other government ministries, or their respective embassies. Victims will be able to have visitors at the shelter, but according to Managing Director Dr. Banna Bu Zaboon, due to safety and security concerns, victims' movements from the shelter will be restricted. Dr. Banna also stated that the shelter will only accept trafficking

cases referred by the police. The shelter has employed eight nurses, one social worker and one lawyer, among other staff members.

15. (SBU) In the absence of specific legislation criminalizing trafficking, Bahrain has used alternative legislation to prosecute cases of trafficking. Examples of existing legislation are: holding a person against his will, encouraging the practice of prostitution, managing an establishment for the practice of prostitution, and receiving material benefit from the practice of prostitution. (Note: The majority of cases prosecuted involve trafficking victims engaged in prostitution.) In calendar year 2006, the government tried nine cases under existing legislation; six resulted in convictions while three are still ongoing. These include: three cases of holding a person against his will, five cases of encouraging prostitution, and one case of managing an establishment for prostitution. Sentences for the five cases of encouraging prostitution ranged from one month to three years in prison. The case in which the sentence was three years involved four individuals and all received the same three-year sentence. Expatriates were regularly deported after the completion of their sentences. One of the cases of holding a person against his will resulted in a sentence of a BD 200 (\$530) fine and deportation because the perpetrator was an expatriate.

16. (SBU) In calendar year 2005, Bahrain prosecuted and won 20 cases under existing legislation, all of which were prostitution related. Of the 13 cases of encouraging the practice of prostitution, sentences ranged from 10 days to two years in prison. Of the six cases of managing an establishment for the practice of prostitution, sentences ranged from three months to three years in prison. For the

MANAMA 00001943 002 OF 002

remaining case of receiving material benefit from the practice of prostitution, the perpetrator received a one-year prison sentence.

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